

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
vs.)
)
)
JOHN MESA,)
)
)
Defendant.)

8:05CR350

ORDER

This matter is before the court on the government's MOTION TO CONTINUE TRIAL (#23). Based on counsel's scheduling conflict, I find that the government has shown good cause for a continuance and trial should be continued to January 10, 2006.

IT IS ORDERED that the MOTION TO CONTINUE TRIAL (#23) is granted, as follows:

1. The trial of this case is continued to **Tuesday, January 10, 2006** before Judge Laurie Smith Camp and a jury.
2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **December 6, 2005 and January 10, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).
3. Counsel for the United States shall confer with defense counsel and electronically file a status report no later than **January 4, 2006** advising the court of the anticipated length of trial.

DATED November 30, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**